

MINUTES OF THE WORK SESSION OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD NOVEMBER 5, 2009 AT 6:30 P.M. IN THE TOWN COUNCIL CHAMBERS.

Mayor Smith called the Work Session to order at 6:30 p.m. Roll call was taken as follows:

| <u>ROLL CALL:</u> | <u>Present</u> | <u>Absent</u> | | <u>Present</u> | <u>Absent</u> |
|--------------------------|----------------|---------------|-----------------|----------------|---------------|
| Mayor Luke Smith | <u>X</u> | _____ | Stephanie Irwin | <u>X</u> | _____ |
| Vice Mayor Rich Crockett | <u>X</u> | _____ | Kim Webb | <u>X</u> | _____ |
| Woody Biscoe | <u>X</u> | _____ | Leslee Wessel | <u>X</u> | _____ |
| Norris Dodd | <u>X</u> | _____ | | | |

STAFF PRESENT:

L. Kelly Udall, Town Manager; Rosemary Rosales, Town Attorney; Lu Anne Frost, Town Clerk; Susan Stein, Deputy Town Clerk; Paul Esparza, Community Development Director; Brian McCabe, Town Planner; and Sherwood Eldredge, Chief of Police.

ITEM NO. 5, STAFF PRESENTATION ON THE MIXED USE CONCEPT:

Paul Esparza stated it was approximately one year ago when the Council and the Planning and Zoning Commission had a joint session. He stated they would like to implement the Town Plan and nodal concepts and said they would like to hear from the Council on how to move forward. He said the concept would go before the Planning and Zoning Commission and then come back to the Council for consideration.

Brian McCabe gave a PowerPoint presentation and stated he has been researching the mixed-use concept and how to implement the Town Plan; specifically the nodal concept, which includes the Penrod/Old Town, Maverick and Walnut Creek nodes. He stated “mixed-use” is different from the Planned Unit Development (PUD) definition. He gave the definition of mixed-use, and reviewed the alternatives. He said there are three alternatives to implementing mixed-use. He stated the review process for a mixed-use zoning district would have to be approved by Council as a re-zone; a mixed-use overlay district offers more options; and mixed-use within commercial zoning follows the existing commercial zoning. He stated the 2004 model was very similar to the requirements suggested by Planning.org. He said a Floor Area Ratio (FAR) of 1 would allow for complete coverage of a lot; however setbacks, parking requirements, and other requirements would not allow complete coverage. He added 1 FAR could be excessive for the Town. He said he thought the 2004 model was a good example of the elements of a mixed use district, as it had a 1:2 ratio for commercial/residential, including recommended lot sizes and lot widths, minimal setback requirements, and a building height restriction of 35 feet. He suggested this height restriction be increased to encourage mixed-use. He said floor area ratios are used to calculate floor space. He said floor area ratios must be considered and showed those present what a .25 FAR, .50 FAR, and a 1 FAR look like, and noted some options available to the Town.

Mr. McCabe showed a map of Bloomfield Township, Michigan, indicating an overlay zoning and said it is used as a redevelopment tool to encourage mixed uses. He said an overlay district could be approved by the Planning and Zoning Commission through a site plan review process

or a conditional use permit process, without going before the Town Council. He used a map of Chesapeake, Virginia, to illustrate the hybrid option. He said it is a mixed-use zoning district within an urban overlay district with at least 10%-30% commercial and a 2.5 FAR, which he said is excessive. He said this type of zoning would require Council approval, as it would be considered a re-zoning. He displayed another option to allow mixed uses within existing commercial zoning in Fremont, California. He said commercial use is based on a certain amount of street frontage and the underlying commercial zoning. He said the Planning and Zoning Commission would have authority for projects less than two acres or ones requiring a conditional use permit.

He stated the next step in the process would be to implement the Town Plan to include a mixed-use zoning district, a mixed-use overlay district, or a mixed-use permitted within commercial zoning, based on the Town Council's desires. Councilwoman Wessel asked which option Mr. McCabe thinks fits the Town's needs better. Mr. McCabe stated what was proposed in 2004 is a good starting point, and said the overlay option would work with regard to the nodes. He stated the General Plan calls for overlay districts. Councilman Dodd stated he thought the 2004 mixed-use proposal was considered a zoning district; and said he thought it was not confined to the nodal areas, but included the entire Town. Mr. Esparza stated the approach in 2004 identified mixed-use areas within the Lakeside Redevelopment area and in Pinetop. He said maps were developed for two specific regions within the Town. Mr. McCabe stated he is not recommending rezoning until an applicant approaches the Town. Councilman Dodd stated to create incentives for the overlay district, the floor area ratios need to increase. Councilwoman Irwin confirmed if an overlay district is located within commercial zoning, it would follow the existing zoning. She stated they put a lot of work into the 2004 document and suggested they start with that document and move forward. She agreed that citizens thought their property would be rezoned, and said they may not have been aware that it was an option available to them. Mr. McCabe stated an overlay is optional. Councilman Dodd asked if they went with the mixed-use overlay district, what would happen with the PUD. Mr. McCabe stated it would remain as it is, a good planning tool; and said they are two different concepts. He said a PUD refers to land use planning and mixed-use refers to use within a building. Mr. Udall stated the next step is to take this to the Planning and Zoning Commission, but said they want to be sure the Council understands the concept and that all of their questions are answered. He said this process gives staff the tools to implement the plans on the shelf. Councilwoman Wessel stated he is alluding to taller heights; and stated she is not comfortable building above the trees and said she thinks the maximum should remain at 35 feet. Mr. Udall stated they have had plans come in for homes to be built higher than 35 feet, and said it may be higher. Mr. McCabe stated Navopache Electric's site plan has architectural features as high as 34 feet for a one-story building; and said the mixed use concept should be considered to 50 feet. Mayor Smith stated architectural design reflects creativity, flexibility and variability in developer's plans and said it is a good thing to leave it open-ended. He said it allows them to explore different options on site plans. Mayor Smith stated he liked the 2004 ordinance and said he thought it was well-crafted. He stated it is important to understand the reason that issue was controversial was the maps. He said they were meant as an idea and said it was blown out of proportion. He said that was not the intention as it turned into a big fight; and said they need to be cautious when moving forward. He said they need to approach this as a benefit to the community.

The Work Session was adjourned at 6:55 p.m.

Dated this 12th day of November 2009.

PINETOP-LAKESIDE TOWN COUNCIL

/s/ Lu Anne Frost, Town Clerk